

GOVERNMENT OF ANDHRA PRADESH
AGRICULTURE AND COOPERATION (A.M.-IV) DEPARTMENT

Memo. No.11288 /A.Mktg.IV/2008-1
28. 8.2008

Dated:

Sub:-Agricultural Marketing Dept- Rythu Bazars -
W.P.No.17967 of 1999
Dt.23.01.2006 filed by Sri Ramachandra &
Goplalkrishna Mutt. Adilabad
- Fixation of Rent on lease - proposals submitted -
orders awaited - Reg.

Ref:- From the Collector, Adilabad Dist F.M
Lr.No.C1/939/2008 (addredd to
Govt. under copy market to C&&DOAM & CEO, RBZ
among others)

The attention of the Commissioner and Director of Agricultural
Marketing, A.P., Hyderabad is invited to the references cited. He is
requested to furnish his remarks in the matter immediately.

M.SUDHAKAR,
SPL SECRETARY TO GOVERNMENT.

To
The Commissioner and Director
of Agricultural Marketing, A.P., Hyderabad (we)
Copy to:
Chief Executive Officer, Ruthu Bazars,
O/O C&DOAM, Hyd..

// Forwarded:: By Order //

SECTION
OFFICER.

(C.No.11288/AM-IV/08)

A&C (AM-IV)

Dept.

Sub:-Agricultural Marketing Dept- Rythu Bazars -
W.P.No.17967 of 1999

Dt.23.01.2006 filed by Sri Ramachandra &
Gopalakrishna Mutt. Adilabad
- Fixation of Rent on lease - Reg.

Ref:- 1)From the Collector, Adilabad Dist F.M
Lr.No.C1/939/2008.

2) Govt.Memo No.11288/AM-IV/08 dt.28.08.08.

3) From the C&&DOAM Lr.Rc.No.RBZ/330/2008.
Dt.10.9.08.

Please see the correspondence in pps 1-39 cf.

The Collector, Adilabad has informed that the Rythu Bazar, Adilabad Town and District was constructed in the Patta land in Sy.No.392 measuring 2.00 Acres which property belongs to Sri Rama Chandra and Gopala Krishna Mutt, Adilabad Town and Dist. after obtaining permission from Commr. for Endowment, A.P.Hyderabad pending fixation of lease amount, period of lease and finalization of other formalities. Accordingly the Executive Officer, Sri Ramachandra Gopla Krishna Mutt, Adilabad town has handed over the said land and the Mandal Revenue Officer, Adilabad has taken possession of the land on 19.5.1999 and handed over it to the APIIC for construction of Rythu Bazar. The Rythu Bazar in the said mutt land was constructed and it is running successfully from 19.5.1999.

He has further stated that the Mahant of the said Mutt Sri Ramachandra Gopala Krishna Mutt, Adilabad have filed a Writ Petition No.17967 of 1999 before the Hon'ble Court of A.P.Hyd and requested to direct the administration not to make any constructions over the land without making payment of compensation to the land under acquisition by the Government under LA Act. The Writ was

allowed while granting interim injunction Order. The Counter Affidavit has been filed by the Collector Adilabad in this case on 16th Day of October 1999. The Govt. Pleader for Endowments has asked the administration to complete the lease agreement immediately as stated in the Counter Affidavit and report the same to the Hon'ble Court for taking further action the matter. He has further stated that the Government Pleader for Endowments informed that the Court has took serious view of the matter and observed that the Endowment property cannot be given possession to Rythu Bazar by the Commissioner Endowments without following procedure.

In view of the above position, the Collector, Adilabad has requested the Govt. to issue necessary instructions to the CEO, Rythu Bazars and Commr. of Endowments while giving permission to enter into Lease agreement deed and fixing the lease rent as

proposed by him so that the Affidavit can be filed before the Hon'ble High Court of A.P.Hyd to defend the case as well as making the lease amount payments to the to Sri Ramachandra and Gopalakrishna Mutt. Adilabad.

In this connection, the C&DoAM,Hyd who was consulted for his remarks has informed that the Rythu Bazar, Adilabad was constructed in an area of AC.2.00 in Sy.No.392 which is belongs to Sri Rama Chandra and Gopala Krishna Mutt, Adilabad duly obtaining permission from Commr. For Endowment, A.P.Hyderabad pending fixation of lease amount and constructed Rythu Bazar. The Rythu Bazar is running w.e. from 10.05.1999. The above said Mutt, Adilabad has filed W.P.No.17967/99 before the Hon'ble High Court, A.P. to issue directions to the concerned Department i.e. Marketing not to make any constructions in the said land without making payment, of lease rent. The Govt. Pleader Endowment Dept. has informed to complete the lease agreement as stated in the Counter Affidavit and report the same to the Hon;ble Court for taking further action in the matter.

He has further stated that the Dist.Collector Adilabad addressed the Commissioner of Endowment, A.P.Hyderabad to arrange to grant lease in favour of the Agricultural Market Committee, Adilabad, In turn the Endowment Department has submitted proposal to Govt. in the

matter, but the orders are still awaited. Further the Dist. Collector, Adilabad has submitted a detailed report on the issue and requested to take a decision for payment of lease Rent and to issue instructions to the Govt. Pleader for appearing before the court in W.P.No.17967/99 on 27.8.2008.

He has further stated that the Department has to pay an amount of Rs.11,64,297/- to the Mutt. Adilabad towards lease amount of the land taken on lease for establishment of Rythu Bazar, Adilabad for the period from 19.05.1999 to 18.8.2008. It is also submitted that there is no funds available at Rythu Bazar. Adilabad for payment of above amount. There is sufficient funds available in Agricultural Market Committee, Adilabad as on 31.08.2008 is Rs.485.39 lakhs only.

In view of the above position, the C&DoAM.Hyd has requested the Govt. to kindly accord permission to the AMC, Adilabad for drawal of an amount of Rs.11,64,297/- from the overall savings of the AMC, Adilabad during the year 2008-09 and cause the payment to the concerned through Dist. Collector, Adilabad, and to intimate the same to the Hon'ble High Court of A.P. through Govt. Pleader.

Under the above circumstances it is for orders, whether the request of C&DoAM,Hyd as well as the Collector, Adilabad to accord permission for drawal of an amount of Rs.11,64,297/- from the overall savings of the AMC Adilabad during the year 2008-09 and cause the payment to the concerned thorough District Collector Adilabad, and the intimate

the same to Hon'ble High Court through the Govt. Pleader so as to avoid the Contempt of Court case, may be agreed to.

After orders are passed, the file may be circulated to Minister (Mktg,WH&FP) for orders on para 11 above.

C.No.11288/AM-IV/08
DEPT.

A&C (AM-IV)

ABSTRACT

Agricultural Marketing Department - Rythu Bazars -
W.P.No.17967/99 dt.21.1.06 filed by Sri Ramachandra &
Gopalakrishna Mutt, Adilabad District - Fixation of the Rent of land -
Permission for drawal of an amount of Rs.11,64,297/- from the
savings of Agricultural Market Committee Adilabad for payment of
Rent - Accorded - Orders - Issued.
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AGRICULTURE AND COOPERATION (AM-IV)DEPARTMENT

G.O.Rt.No.

Dt. ____ .10.2008
Read the

following:

- 1.From the Collector. Adilabad Dist.
Lr.No.C1/939/239/2008. dt.25.8.08.
- 2.From the C&Dir of AM, Hyd Lr.No.RBZ330/2008,
dt.10.09.2008.

ORDER

In the circumstances reported by the District Collector, Adilabad as well as the C&DoAM,Hyd., in their letters read above, Govt. after careful examination, hereby accord permission for drawal of an amount of Rs.11,64,297/- (Rupees eleven lakhs sixty four thousand and two hundred ninety seven only) from the overall savings of the Agricultural Market Committee Adilabad during the year 2008-09 so as to cause the payment to the concerned through the District Collector Adilabad and to intimate the same to Hon'ble High Court of A.P .through Govt. Pleader.

To
The Commissioner and Director
of Agricultural Marketing, A.P., Hyderabad
The Collector, Adilabad District.
Copy to:
P.S. to Minister (Mktg W.H&FP)
P.S. to Prl. Secy (FP.AM & C)
SF/SC.

